

SUPREME COURT, U. S.

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IN THE

Supreme Court of the United States

October Term, 1962

No. 6

THEODORE GIBSON,

Petitioner,

vs.

FLORIDA LEGISLATIVE INVESTIGATION
COMMITTEE.

ON WRIT OF CERTIORARI TO THE SUPREME COURT OF THE
STATE OF FLORIDA

APPENDIX TO PETITIONER'S BRIEF ON REARGUMENT

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Statement

In the original argument in this cause, respondent placed emphasis on the wording of the anti-Communist resolution adopted by petitioner's organization as national policy at its 1950 Annual Convention.^a While the organization had always been opposed to Communism, the 1950 resolution was its first formal policy statement specifically barring Communists from membership. At each Annual Convention thereafter this anti-Communist policy has been reaffirmed.

On November 4, 1959, petitioner furnished the Committee with copies of the texts of each of the anti-Communist resolutions adopted at each N.A.A.C.P. Convention from 1950 (R. 35). Lest the Court be of the mistaken view that the text of the 1950 resolution was the text of the organiza-

tion's policy statement each year thereafter, petitioner appends the text of each anti-Communist resolution adopted at the Annual Conventions of the N.A.A.C.P. beginning with its 1950 Convention.

Respectfully submitted,

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Resolutions on Communism Adopted at the Annual Conventions of the National Association for the Advancement of Colored People 1950-1962

41ST ANNUAL CONVENTION, BOSTON, MASSACHUSETTS—
JUNE 23, 1950

WHEREAS, certain branches of the National Association for the Advancement of Colored People are being rocked by internal conflicts between groups who follow the Communist line and those who do not, which threaten to destroy the confidence of the public in the Association and which will inevitably result in its eventual disruption; and

WHEREAS, it is apparent from numerous attacks by Communists in their official organs "The Daily Worker" and "Political Affairs" upon officials of the Association that there is a well-organized, nation-wide conspiracy by Communists either to capture or split and wreck the NAACP; therefore be it

RESOLVED, that this Forty-First Convention of the National Association for the Advancement of Colored People go on record as unequivocally condemning attacks by Communists and their fellow-travelers upon the Association, and its officials, and in order to safeguard the good-name of the Association, promote and develop unity, eliminate internal ideological friction, increase the membership and build the necessary power effectively to wage the fight for civil rights, herewith, call upon, direct and instruct the National Board of Directors to appoint a committee to investigate and study the ideological composition and trends of the membership and leadership of the local branches with a view to determining causes of the aforementioned conflicts, confusion and loss of membership; be it further

RESOLVED, that this Convention go on record as directing and instructing the Board of Directors to take the necessary action to eradicate such infiltration, and if necessary to suspend and reorganize, or lift the charter and expel any branch, which, in the judgment of the Board of Directors, upon a basis of the findings of the aforementioned investigation and study of local branches comes under Communist or other political control and domination.

42ND ANNUAL CONVENTION, ATLANTA, GEORGIA—
JUNE 30, 1951

WHEREAS, the 41st Annual Conference in Boston adopted a resolution calling attention to internal conflicts in some branches caused by groups which follow the Communist line, and condemning attacks on the Association and its leaders by Communists and their fellow travelers; and instructed the Board to take steps to stop Communist infiltration or control of our branches, and

WHEREAS, the cardinal principle of those who follow the Communist line is to support whatever happens to be at the moment the foreign policy of Russia, a totalitarian dictatorship, while the cardinal principle of the NAACP is to support and strengthen American democracy by winning complete equal rights for all people regardless of race, and

WHEREAS, the Board of Directors, in an attempt to carry out this purpose adopted an amendment to our constitution restricting membership to those who support the principles and program of the NAACP, and

WHEREAS, these principles include opposition to Communist infiltration and control,

BE IT RESOLVED, that we call the attention of the branches to this action of the Board in carrying out the anti-Communist resolution; and

BE IT FURTHER RESOLVED, that we advise the branches that any person excluded from the branch for not being in accord with our policies and principles has a right of appeal to the Board, and that mere criticism of the local or national officials of the NAACP is not alone and of itself ground for exclusion or rejection.

43RD ANNUAL CONVENTION, OKLAHOMA CITY, OKLAHOMA—
JUNE 28, 1952

We reaffirm the Anti-Communist resolution adopted at the 1950 Boston Convention supported by an amendment to our Constitution by the National Board restricting membership to those who support the principles and program of the National Association for the Advancement of Colored People, which was strengthened and clarified by the convention in Atlanta, Georgia, in 1951.

44TH ANNUAL CONVENTION, ST. LOUIS, MISSOURI—
JUNE 23, 1953

We, as believers in the democratic system, reaffirm our rejection of communism as an anti-democratic way of life and again call upon our branches to be constantly on the alert for attempts of communists and their sympathizers or supporters of any other totalitarian system to infiltrate and gain control of any units of our organization.

**45TH ANNUAL CONVENTION, DALLAS, TEXAS—
JUNE 29, 1954**

We, as believers in the democratic system, reaffirm our rejection of Communism as an anti-democratic way of life and again call upon our branches to be constantly on the alert for attempts of Communists and their sympathizers or supporters, or supporters of any other totalitarian system, to infiltrate and gain control of any units of our organization.

**46TH ANNUAL CONVENTION, ATLANTIC CITY, NEW JERSEY—
JUNE 25, 1955**

We firmly believe that the ills of democracy and the unfinished business of democracy can and will be cured by more democracy, not less. Accordingly, we reaffirm our rejection of Communism as an anti-democratic way of life and form of government. We again call on our branches to be constantly alert against attempts of Communists and their sympathizers and supporters, or the supporters of any other form of totalitarianism, to infiltrate and gain control of any units of our organization.

47TH ANNUAL CONVENTION, SAN FRANCISCO, CALIFORNIA—
JUNE 26, 1956

In common with the rest of the free world, the National Association for the Advancement of Colored People rejects the program and aims of Soviet Russia and of the International Communist movement. The cause of the National Association for the Advancement of Colored People is a sacred one, vital not only to the future of sixteen million Negro Citizens, but also to the well-beings of all Americans and to the achievement of a democratic American society. The members and the leaders of the National Association for the Advancement of Colored People must zealously protect the Association and all of its units from Communists, and their sympathizers, who attempt to exploit the just grievances and legitimate aspirations of the American Negro in the interests of Russian imperialism.

As in the past, the Association will employ every reasonable measure in keeping with democratic organizational principles to prevent the endorsers, the supporters and defenders of the Communist conspiracy from joining or participating in any way in the work of the NAACP.

The new "line" of the Communist parties throughout the world, and especially in the United States, is by infiltration to insinuate their programs on non-Communist and even anti-Communist organizations. We know that the Communist leadership in America has directed its representatives to seek to involve NAACP units in a "united front" program. This we absolutely reject.

The leaders and the members of the Association must be even more vigilant now than ever before in preventing Communist infiltration, because Communists today operate under many disguises and false fronts.

In accordance with the Boston convention resolution of 1950, the official policy of the National Association for the

Advancement of Colored People continues to be that no branch or state conference, youth or college chapter, will endorse, support or participate in or cooperate in any way with Communist organizations, Communist controlled organizations, and/or persons who are prominently identified with the Ku Klux Klan, White Citizens Councils, Fascists, Communist-front or Communist-line organizations, or groups known to be dominated by Communist leadership and policy, and that Communists are ineligible for membership in the NAACP.

48TH ANNUAL CONVENTION, DETROIT, MICHIGAN—
JUNE 25, 1957

In common with the rest of the free world, the National Association for the Advancement of Colored People rejects the program and aims of Soviet Russia and of the International Communist movement, including the Communist Party of the United States. The cause of the National Association for the Advancement of Colored People is a sacred one, vital not only to the future of sixteen million Negro citizens, but also to the well-being of all Americans and to the achievement of a democratic American society. The members and the leaders of the National Association for the Advancement of Colored People must zealously protect the Association and all of its units from Communists, and their sympathizers, who attempt to exploit the just grievances and legitimate aspirations of the American Negro in the interests of Russian imperialism.

The new "line" of the Communist parties throughout the world, and especially in the United States, is by infiltration to insinuate their programs on non-Communist and even anti-Communist organizations. We know that the Communist leadership in America has directed its rep-

representatives to seek to involve NAACP units in a "united front" program.

As in the past, the Association will employ every reasonable measure in keeping with democratic organizational principles to prevent the endorsers, the supporters and defenders of the Communist conspiracy from joining or participating in any way in the work of the NAACP. The leaders and the members of the Association must be even more vigilant now than ever before in preventing Communist infiltration, because Communists today operate under many disguises and false fronts.

In accordance with the Boston convention resolution of 1950, the official policy of the National Association for the Advancement of Colored People continues to be that no branch or state conference, no area or regional conference, no youth or college chapter, will endorse, support or participate in or cooperate in any way with Communist organizations, Communist-controlled organizations, and or persons who are prominently identified with the Ku Klux Klan, White Citizens Councils, Fascists, Communist-front or Communist-line organizations, or groups known to be dominated by Communist leadership and policy; and that Communists are ineligible for membership in the NAACP.

49TH ANNUAL CONVENTION, CLEVELAND, OHIO—
JULY 12, 1958

In accordance with the Boston convention resolution of 1950 and as repeated every year since then, it continues to be the official policy of the National Association for the Advancement of Colored People that no branch or state conference, no area or regional conference, no youth council or college chapter, shall endorse, support, participate in,

or in any way cooperate with, Communist organizations, Communist-controlled, Communist-front, Communist-line or Fascist organizations, groups known to be dominated by Communist leadership and policy, and/or persons who are prominently identified with the Ku Klux Klan, the White Citizens Councils and similar organizations; and that Communists, Fascists, and members of the Ku Klux Klan, the White Citizens Councils or similar organizations are ineligible for membership in the National Association for the Advancement of Colored People.

50TH ANNUAL CONVENTION, NEW YORK, NEW YORK—
JULY 17-18, 1959

In accordance with the Boston convention resolution of 1950 and as repeated every year since then, it continues to be the official policy of the National Association for the Advancement of Colored People that no branch or state conference, no area or regional conference, no youth council or college chapter, shall endorse, support, participate in, or in any way cooperate with Communist organizations, Communist-controlled, Communist-front, Communist-line or Fascist organizations, groups known to be dominated by Communist leadership and policy, and/or persons who are prominently identified with the Ku Klux Klan, the White Citizens Councils and similar organizations; and that Communists, Fascists, and members of the Ku Klux Klan, the White Citizens Council or similar organizations are ineligible for membership in the National Association for the Advancement of Colored People.

51ST ANNUAL CONVENTION, ST. PAUL, MINNESOTA—
JUNE 21, 1960

In accordance with the Boston convention resolution of 1950, and as repeated every year since then, it continues to be the official policy of the National Association for the Advancement of Colored People that no branch or other subordinate body of our organization, shall endorse, support, participate in, or in any way cooperate with Communist organizations; Communist controlled, Communist-front, Communist-line or Fascist organizations, groups known to be dominated by Communist leadership and policy, including Communist-controlled unions and or persons who are identified with the Ku Klux Klan, the White Citizens Councils and similar organizations; and that Communists, Fascists, and members of the Ku Klux Klan, the White Citizens Council or similar organizations are ineligible for membership in the National Association for the Advancement of Colored People.

52ND ANNUAL CONVENTION, PHILADELPHIA, PENNSYLVANIA—
JULY 15, 1961

In accordance with the Boston convention resolution of 1950, and as repeated every year since then, it continues to be the official policy of the National Association for the Advancement of Colored People that no branch or other subordinate body of our organization, shall endorse, support, participate in, or in any way cooperate with Communist organizations, Communist-controlled, Communist-front, Communist-line or Fascist organizations, groups known to be dominated by Communist leadership and policy, including Communist-controlled unions and/or persons who are identified with the Ku Klux Klan, the White Citizens

Councils and similar organizations; and that Communists, Fascists, and members of the Ku Klux Klan, the White Citizens Councils or similar organizations are ineligible for membership in the National Association for the Advancement of Colored People.

53RD ANNUAL CONVENTION, ATLANTA, GEORGIA—
JULY 2, 1962

In accordance with the Boston convention resolution of 1950, and as repeated every year since then, it continues to be the official policy of the National Association for the Advancement of Colored People that no branch or other subordinate body of our organization, shall endorse, support, participate in, or in any way cooperate with Communist organizations, with Communist-controlled, Communist-front, Communist-line or Fascist organizations, or with groups known to be dominated by Communist leadership and policy, including Communist-controlled unions and/or with persons who are identified with the Ku Klux Klan, the White Citizens Council and similar organizations; and that Communists, Fascists, and members of the Ku Klux Klan, the White Citizens Council or similar organizations are ineligible for membership in the National Association for the Advancement of Colored People.